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January 21, 1998

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

HAND DELIVER

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: CC Docket No. 96-98; DA 97-2418; NSD File No. L-97-42  
Ex Parte Presentation

Dear Ms. Salas:

Pursuant to Section 1.1206 of the Commission's Rules, this letter is to advise you that Dan Goldfisher of Omnipoint Corporation and I met today with Paul Gallant, Legal Advisor to Commissioner Tristani. During the meeting, Omnipoint presented its position on numbering administration issues, as expressed in the attached talking points "Pennsylvania Numbering." Omnipoint also provided to Mr. Gallant a copy of the attached talking points. Omnipoint's discussion focussed on the current pending issues concerning the Pennsylvania NPA relief plan, consistent with Omnipoint's December 1, 1997 comments in that docket and with its October 7, 1996 "Petition for Reconsideration and Clarification" filed in CC Dkt. 96-98.

In accordance with the Commission's rules, I hereby submit one original and five copies of this letter for inclusion in the above-referenced dockets.

Sincerely,



Mark J. O'Connor

Counsel for Omnipoint Corporation

cc: Paul Gallant

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## **PENNSYLVANIA NUMBERING**

### **Status and Recommendation**

Presentation to the  
Federal Communications Commission  
January 21, 1998



## DISCLAIMER

*Positions attributed to parties and industry segments, herein, represent OmniPoint's understanding of such positions.*



## Omnipoint's Interest in Pennsylvania

- Licenses Held
  - New York MTA
  - Harrisburg, PA BTA
  - Philadelphia, PA-Wilmington, DE-Trenton, NJ BTA
  - Pottsville, PA BTA
  - Reading PA BTA
  - State College, PA BTA
  - Sunbury-Shamokin, PA BTA
  - Williamsport, PA BTA
  - York-Hanover, PA BTA



## Status of Numbering in Pennsylvania

NPA	Status	Type Relief	Lottery	Permissive Start	Permissive End	Code Assignment	Code Activations
412	Exhaust	Split - 724		2/1/98	4/30/98	5/1/98	7/16/98
724	New	Split - 412				5/1/98	7/16/98
215	Exhaust	Other	3	Proposed Transparent Overlay			
610	Exhaust	Other	3	Proposed Transparent Overlay			
717	Exhaust	Other	3	Proposed Transparent Overlay			
814	OK						

- New 724 NPA to be implemented in split of 412 NPA. New NXXs not available until July, 1998.
- NPAs 215, 610 and 717 in Exhaust with 3 NXXs being issued per month via Lottery.
  - An NXX in the 717 NPA, requested in April, 1997, was not received until September, 1997.
- 814 NPA not in Jeopardy.



## Sources of Number Demand

- Wireline Sector - Rate Center Centric
  - Sector Growth ~4% (Business Lines, Data/Fax, 2nd Lines, SOHO)  
(Bell Atlantic Quarterly Report for 2Q97)
  - CLEC Requirements
    - Need Numbers (NXXs until Number Pooling) in each Rate Center
    - Rating of Incoming Calls Critical
    - Primary Source of Customers - ILEC Churn
    - Real Growth Same as Sector
    - Result - Poor Utilization of Numbers within an NXX
- Wireless Sector - Market Centric
  - Sector Growth ~30% (Market Penetration - Price/Services)  
(CTIA Statistics for June 1997)
  - CMRS Requirements
    - Need Numbers, but NXX Serves Multiple ILEC Rate Centers
    - Rating of Incoming Calls Important, but not Critical
    - Result - High Utilization of Numbers within an NXX

**CLECs are the major source of demand for NXXs.**

**CMRS are the major source of demand for Numbers**



## Traditional NPA Relief Alternatives

Party	Split	Overlay
ILEC	NO - Disruption to existing customer base.	YES - No disruption to existing customer base.
CLEC	YES - ILEC customer base disturbed providing competitive opportunity. New customers have no NPA distinction from ILEC	NO - New customers garnered from ILECs will invariably be in new NPA.
State - Wireline Ratepayer	NO - Ratepayer disruption with number changes. YES - Enhances competition.	NO - FCC Mandatory 10-digit dialing causes Ratepayer disruption. Not conducive to competition. Ratepayers in same town, or even same house could be in different NPAs. YES - No need for number changes.
CMRS	NO - Most carriers require handset reprogramming. Long lottery, permissive and embargo periods delay ability to serve new customers. Causes customer disruption.	YES - Numbers effectively available immediately. No handset reprogramming. 10-digit dialing not a significant barrier for some CMRS carriers.



## Pennsylvania's Novel Approach

- Requested Assignment of "Transparent" NPA Overlays for 215, 610 and 717 NPAs
  - Utilizes 1,000 Number Block Number Pooling and Number Portability

<b>Party</b>	<b>Transparent Overlay</b>
<b>ILEC</b>	Compromise - No disruption to existing customers. Doesn't competitively disadvantage CLECs, but doesn't help them either. Will not make waves which might disturb InterLATA entry.
<b>CLEC</b>	Compromise - Meets primary objective of access to numbers in existing NPAs. Lottery still a source of full NXXs.
<b>State - Wireline Ratepayer</b>	Meets all major objectives. Permits enhanced competition on a level field between ILEC and CLECs. Causes no forced number changes to ratepayers and does not require 10-digit dialing
<b>CMRS</b>	NO - Cannot participate until number portability capable. Portability not mandated until mid 1999 and resolution of Bell Atlantic Mobile and CTIA court actions. Only source of numbers via lottery from rapidly diminishing pool. Growth artificially inhibited.





## Additional CMRS Problems

- Visibility of “Transparent” Number
  - Unlike wireline, every handset (AMPS, TDMA, CDMA) has the capability of viewing the “transparent” Mobile Identification Number.
- E911 and CPN Transmission
  - Although “home” Mobile Switching Center could translate a transparent TN prior to signaling, translation is technically challenged when user is visiting another switch. E911 centers will receive an unreachable “transparent” number for callback.
- Roaming Impacts
  - NXX-X Issue
    - Every roaming table in North America will have to be 10 times larger to accommodate determining which HLR to query for roamer verification.
  - Transparent Number
    - A roaming user’s MIN will not exist in any queryable database.
- **What if every State develops its own Novel Solution?**



## History Since PAPUC Order

- PAPUC visit to NANC
    - August 18, 1997: PAPUC presented “transparent” overlay proposal to NANC, requesting release of 3 NPAs.
  - Proposed Accommodation and Letter to FCC
    - August 19, 1997: 14 NANC members voted in favor of an “experimental” release of NPAs to PAPUC conditioned upon:
      - PA’s expeditious movement toward LNP and number pooling;
      - Return of the released NPAs 3 months after LNP implementation; and
      - Assurance that carriers technically incapable of utilizing “transparent” NPAs would have access to needed numbers.
- NANC did not reach consensus.
- August 22, 1997: NANC Chairman Hasselwander forwarded PA issue to FCC without recommendation, separately requesting clarification on “technology neutral” meaning.



## History Since PAPUC Order (cont.)

- Subsequent Letter to FCC from NANC Members
  - September 16, 1997: NANC members clarified their positions, urging FCC not to release NPAs to PAPUC.
  - 3 had voted “for” release of NPAs on “experimental” basis.
  - 1 had abstained.
- Indefinite Extension of “Extraordinary Jeopardy” Rationing
  - November 10, 1997: PAPUC notified Code Administrator to continue 3 NXX per month assignment ceiling per NPA “until further notice.”
- December 18, 1997: PAPUC Order creating implementation Task Force to continue moving forward with Transparent Overlay
  - Intent to direct reclamation of unused (and barely used) NXXs



## • CMRS / PAPUC Attempts at Solution

- Nextel Strawman - (October 9, 1997)
  - Transparent Overlay Plan OK for wireline
  - Lottery Lifted, but NXXs Reserved for CMRS and Portability-Challenged CLECs.
  - State to Decide NOW on Relief Plan to Implement as Exhaust of Available NXXs Approaches.

**PROBLEM - Discriminatory** - Omnipoint did not support.

- PAPUC Counter Proposal - (November 7, 1997)
  - Transparent Overlay Plan OK for wireline
  - Lottery Continued, with NXXs Reserved for CMRS and Portability-Challenged CLECs once existing queue satisfied (11 months).
  - State Refuses to Decide on Relief Plan until Full Exhaust is Imminent due to Political Nature of the Decision.
  - Decision and Implementation of Subsequent Relief would result in Significant Period where no new NXXs would be available (Minimum of 4 months).

**PROBLEMS - Discriminatory and still provides no acceptable solution for CMRS**



## **Omnipoint's Recommendation**

**Implementation of an  
EXPANDED NPA OVERLAY  
in conjunction with the  
PAPUC Order**



## A Word About NPAs

- Historically based on RBOC boundaries with splits determined by ILEC deployment of outside plant facilities.
- Not always geographically contiguous.
- Do not match political boundaries at either State, County or Municipal levels.
- Do not match LATA boundaries.
- Do not align with Commerce communities of interest.
- Overlays exist that are Technology-Specific.
- States have grandfathered CMRS NXXs in Split NPAs.
- Decisions on Relief are heavily influenced by State Politics.

**NPA Decisions do not follow any Sacrosanct set of Rules.**

**The Situation in Pennsylvania provides the FCC the opportunity to be innovative to address 21st Century Communication Needs.**



## Expanded NPA Overlay

- An NPA with a geographical boundary based on a collection of Major Trading Areas (MTAs) and/or Basic Trading Areas (BTAs).
- Technology Neutral
  - Can be used by CMRS carriers which are not limited to ILEC Rate Center Boundaries
  - Can be used by wireline carriers for all services, but may be competitively attractive for phone services that are NPA insensitive (Modem, Fax, Data, Internet) or for new services
- One of the short-term numbering solutions approved by the CLC and NANC and forwarded to the FCC for consideration.
- Can be implemented quickly - Does not require lengthy permissive or embargo periods.
- No major technological barriers.



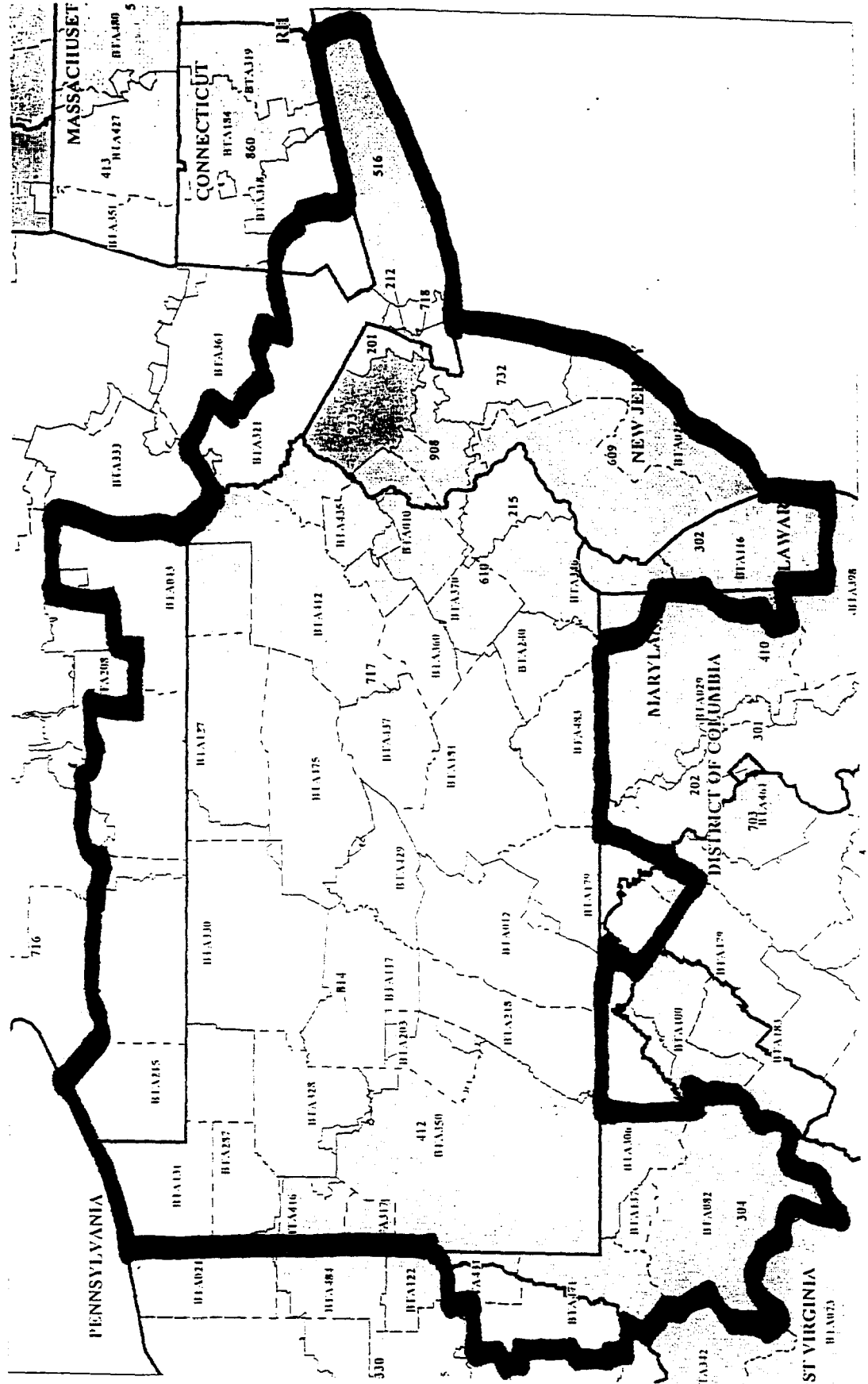
## Recommended Scope

- Coverage of the Entire State of Pennsylvania through:
  - All BTAs in the Philadelphia MTA
    - Central & Southeastern Pennsylvania
    - Southern New Jersey
    - Entire State of Delaware
    - Two counties in Maryland
  - All BTAs in the Pittsburgh MTA
    - Southwestern Pennsylvania
    - Portions of Northern West Virginia
    - Four counties in Eastern Ohio
  - Other BTAs entirely in Pennsylvania
    - Erie, Meadville and Sharon BTAs in the Cleveland MTA
    - Scranton-Wilkes Barre and Stroudsburg BTAs in the New York MTA
  - Other BTAs partially in Pennsylvania
    - Binghamton, Corning-Elmira, New York and Easton BTAs in the New York MTA
    - Chambersburg BTA in the Washington MTA
    - Jamestown-Warren and Olean-Bradford BTAs in the Buffalo MTA





# Geographic Coverage





## Relief to be Derived

State	NPA	Status	Type Relief	Lottery	Permissive Start	Permissive End	Code Assignment	Code Activations
CT	203							
NJ	201	Exhaust	Split - 973	N/A	6/1/97	12/6/97	12/7/98	2/19/98
NJ	609	Jeopardy	Pending	7				
NJ	732	New	Split - 908	N/A			12/7/98	2/19/98
NJ	908	Exhaust	Split - 732	N/A	6/1/97	12/6/97	12/7/98	2/19/98
NJ	973	New	Split - 201	N/A			12/7/98	2/19/98
NY	212	Jeopardy	Only - 646		Not Avail			4/1/98
NY	347	New	Only - 718		Not Avail			1/1/99
NY	516	Jeopardy		4				
NY	646	New	Only - 212		Not Avail			4/1/98
NY	718	Jeopardy	Only - 347		Not Avail			1/1/99
NY	914							
NY	917		N/A					
PA	215	Exhaust	Other	3				
PA	412	Exhaust	Split - 724	2	2/1/98	4/30/98	5/1/98	7/16/98
PA	610	Exhaust	Other	3				
PA	717	Exhaust	Other	3				
PA	724	New	Split - 412				5/1/98	7/16/98
PA	814							



## **No Need for 10-Digit Dialing**

- The Pennsylvania PUC's plan provides access to 1000 Number Blocks within existing NPA-NXXs to meet competitive needs of CLECs.
- The Expanded NPA Overlay provides an alternative source of NXXs for both wireless and wireline carriers to meet customer demand.
- Every NXX used in the Expanded NPA Overlay, in lieu of one from the existing NPA provides one more NXX for other carriers.
- Mandated 10-digit dialing is not necessary to ensure competitively neutral access to numbering resources.
- A Technology-specific Overlay exists in New York City (917 NPA) and the calling public has accepted dialing 10-digits to reach a wireless customer. In fact, there is some indication that the 917 NPA has developed a cachet and is sought by new wireless users.
- The FCC's 10-digit dialing rule contemplated traditional, one-NPA overlays, and should not be read to apply to an Expanded NPA Overlay.
- Resistance to an Expanded NPA Overlay will be significantly reduced if 7-digit dialing within existing NPAs is not impacted.



## Implementation Issues

- PSAPs need upgrade to handle multiple NPAs within a geographic region. This is a factor in any NPA relief plan, but Overlays of any type present additional requirements.
- If a Rate Center crosses a county border which is also the Expanded NPA Overlay border, accommodation may be made to include the entire Rate Center.
- Congress placed broad authority over numbering issues with FCC.
- FCC must take action.
  - Not preemption - Pennsylvania is permitted to implement the requested transparent overlays.
  - Mandating additional numbering relief mechanism